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PTO/SB/36 (09-04)

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RESCISSON OF PREVIOUS NONPUBLICATION REQUEST
(35 U.S.C. 122(b)(2)(B)(ii))
AND, IF APPLICABLE,
NOTICE OF FOREIGN FILING
(35 U.S.C. 122(b)(2)(B)(iii))

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Alexandria, VA 22313-1450
FAX: (703) 305-8568

Application Number	10/849,346
Filing Date	May 19, 2004
First Named Inventor	Mohammed N. Islam
Title	Micromechanical Optical Switch
Atty Docket Number	074036.0134
Art Unit	2873
Examiner	David N. Spector

A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i).
I hereby **rescind** the previous nonpublication request.

If a notice of foreign or international filing is or will be required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c), I hereby provide such notice. This notice is being provided no later than forty-five (45) days after the date of such foreign or international filing.

If a notice of subsequent foreign or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is ABANDONED, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(f).


Signature

10-12-04

Date

Douglas M. Kubehl

41,915

Typed or printed name

Registration Number, if applicable

214.953.6486

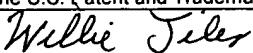
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This request must be signed in compliance with 37 CFR 1.33(b).

If information or assistance is needed in completing this form, please contact the Pre-Grant Publication Division at (703)605-4283 or by e-mail at PGPub@USPTO.gov.

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop PG Pub, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

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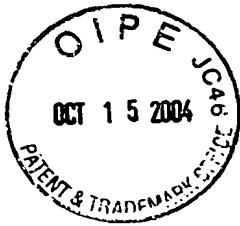
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This collection of information is required by 37 CFR 1.213(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PG Pub, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ATTORNEY DOCKET NUMBER
074036.0134

PATENT APPLICATION
10/849,346



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mohammed N. Islam et al.
Serial No.: 10/849,346
Filing Date: May 19, 2004
Art Unit: 2873
Confirmation No.: 6695
Examiner: David N. Spector
Title: MICROMECHANICAL OPTICAL SWITCH

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Commissioner of Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

STATEMENT ACCOMPANYING RESCISSION OF
PREVIOUS NONPUBLICATION REQUEST

This statement is accompanying the Rescission of Previous Nonpublication Request. Applicants are rescinding the original Nonpublication Request and state that this request was submitted in error.

Respectfully submitted this 17 day of October, 2004.

BAKER BOTTS L.L.P.

Attorneys for Applicants

A handwritten signature in black ink, appearing to read "Douglas M. Kubehl".

Douglas M. Kubehl

Reg. No. 41,915

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